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The President then offered the following resolution, which he proposed should be informally communicated to the Mayor of Boston, and which was unanimously adopted : —

*Resolved*, That this Society regard with peculiar interest the visit to our city and commonwealth of the heir apparent to the throne of England, attended by the head of that old house of Lincoln which gave the Lady Arbella Johnson and the Lady Susan Humfrey to our earliest Colonial history; and that, while we abstain from any specific proffer of hospitality to the Prince or his party at a moment when they seem in danger of being oppressed by too much kindness, we take pleasure in signifying to the Mayor of Boston our earnest disposition to co-operate with him, in any way which may be acceptable, in doing honor to these illustrious guests of our city.

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#### NOVEMBER MEETING.

A stated monthly meeting was held this day, Thursday, Nov. 8, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Essex Institute; New-York State Agricultural Society; Vermont Historical Society; M. Mignet; Trübner and Company; Hon. Theron Metcalf; Henry Stevens, Esq.; Rev. J. M. Heard; William B. Shedd, Esq.; Samuel Tymms, Esq.; E. G. Allen, Esq.; William P. Tucker, Esq.; Rev. George Allen; Walter Channing, M.D.; William Dur-

rant Cooper, Esq. ; Mrs. Sarah K. Hayes ; Executors of Hon. Richard Rush ; Count Adolphe de Circourt ; and from Messrs. Adams, Bowditch, Green, Quint, Robbins (C.), Sears (D.), Sibley, Webb, Whitney, Willard, and Winthrop, of the Society.

The Corresponding Secretary read a letter from John Spare, M.D., relating to a journal kept by Jesse Tilton, of Stoughton. Referred to the Committee of Publication.

Mr. WILLARD presented a valuable collection of ancient commissions and other documents, several of them bearing the autograph signatures of the early governors of Massachusetts and of other distinguished men. Referred to the Publishing Committee.

The President read a note from our associate, Mr. Bowditch, offering to the Society's acceptance two elegantly bound pamphlets, published by himself, and now out of print.

*Voted*, That the President be requested to acknowledge this token of the kind remembrance in which the Society is held by our esteemed associate on his sick-bed.

An application from L. G. Olmsted, Esq., for permission to copy a letter from Joel Barlow contained in the Trumbull Papers, was granted under the rules.

Mr. DEANE, who had examined, at the request of the President, the volume recently presented by Mr. Henry Stevens, entitled "Report of a Constitution, or Form of Government, for the Commonwealth of Massachusetts," &c., presented the following report of the result of his investigation : —

*Mr. Deane's Report.*

This tract, of which a copy of the titlepage is given below,\* is the Report of the Committee of Thirty, chosen by the Convention for forming the Constitution of Massachusetts, "to prepare a frame of a Constitution and Declaration of Rights," to be submitted to the Convention. This committee, of which the Hon. James Bowdoin was chairman, was chosen on the 4th of September. The Convention adjourned on the 8th, to meet again on the 28th of the following month. During the recess, the committee entered upon the important duty assigned to them; and, when the Convention again met, submitted their report in this printed form, copies of which were distributed among the members.

The journal or record of the proceedings of this committee, if any was kept by them, is not extant; but we learn from other sources, that the committee delegated to a sub-committee of three members the duty of preparing a draught of a Constitution. The three were Mr. Bowdoin, Samuel Adams, and John Adams. "By this sub-committee the task was committed to John Adams, who performed it. To them the draught was first submitted; and they accepted it, with one or two trifling erasures. It was then reported to the grand committee, who made some alterations. The preparation of a declaration of rights was intrusted by the general committee to Mr. Adams alone. It was reported by him, with the exception of the third article, upon which he could not satisfy his own judgment."†

To what extent Mr. Adams's draught was modified before it was submitted to the Convention, we have no means, at the

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\* "The report of a Constitution or form of Government for the Commonwealth of Massachusetts: Agreed upon by the Committee, to be laid before the Convention of Delegates assembled at Cambridge, on the first day of *September*, A.D. 1779; and continued by adjournment to the twenty-eighth day of *October* following. Boston: Printed by Benjamin Edes & Sons in State Street. 1779."

† These facts are taken from a letter of John Adams to W. D. Williamson, dated 25th February, 1812. — See Works of John Adams, iv. 215, 216.

present day, of determining. That suggestions, more or less important, were made by some of the distinguished men who were members of that committee, is certain; but it is equally certain, that the Report to the Convention was substantially as it came from the hands of Mr. Adams. Mr. Charles Francis Adams considers it so far a product of his mind as to feel warranted in giving it a place among the works of his grandfather.

It may not be uninteresting to quote here from Mr. Adams's own letters, written at different periods, in which allusion is incidentally made by him to his agency in the formation of the Constitution, or rather in the preparation of the draught reported to the Convention.

In a letter of Mr. Adams to Edmund Jennings, dated 7th June, 1780, immediately after the Constitution had been ratified by the people, he says, —

“I was chosen by my native town into the Convention, two or three days after my arrival [from Europe]. I was, by the Convention, put upon the committee; by the committee, upon the sub-committee: so that I had the honor to be principal engineer. The committee made some alterations, as, I am informed, the Convention have made a few others, in the report; but the frame and essence and substance is preserved.” — *Works of John Adams*, iv. 216.

In a letter to B. Rush, dated 4th November, 1779, from Braintree, a few days before he sailed for Europe, Mr. Adams says, —

“Your favors of Oct. 12th and 19th are before me. I should not have left the first unanswered seven days if it had not been for my new trade of a Constitution monger. I enclose a pamphlet as my apology. It is only a report of a committee; and will be greatly altered, no doubt.” — *Ibid.*, ix. 507.

I suppose the “pamphlet” alluded to to be a copy of the one just presented to the Society by Mr. Stevens, and which has furnished the occasion of these remarks.

In a letter to Dr. Rush, dated Quincy, 12th April, 1809, Mr. Adams says, —

“Upon my return from France in 1779, I found myself elected, by my native town of Braintree, a member of the Convention for forming a Constitution for the State of Massachusetts. I attended that Convention of near four hundred members. Here I found such a chaos of absurd sentiments concerning government, that I was obliged daily before that great assembly, and afterwards in the Grand Committee, to propose plans, and advocate doctrines, which were extremely unpopular with the greater number. Lieutenant-Governor Cushing was avowedly for a single assembly, like Pennsylvania. Samuel Adams was of the same mind. Mr. Hancock kept aloof, in order to be Governor. In short, I had at first no support but from the Essex junto, who had adopted my ideas in the letter to Mr. Wythe. They supported me timorously; and, at last, would not go with me to so high a mark as I aimed at, which was a complete negative in the governor upon all laws. They made me, however, draw up the Constitution; and it was finally adopted, with some amendments very much for the worse,” &c. — *Ibid.*, 618.

In a letter to Samuel Perley, — Quincy, 19th June, 1809, — Mr. Adams says, —

“In 1780, when I arrived in France, I carried a printed copy of the report of the Grand Committee of the Massachusetts Convention, which I had drawn up; and this became an object of speculation. Mr. Turgot, the Duke de la Rochefoucauld, and Mr. Condorcet and others, admired Mr. Franklin’s constitution, and reprobated mine. Mr. Turgot, in a letter to Dr. Price, printed in London, censured the American Constitution,\* as adopting three branches, in imitation of the Constitution of Great Britain. The intention was to celebrate Franklin’s constitution, and condemn mine. I understood it, and undertook to defend my constitution; and it cost me three volumes.” — *Ibid.*, 623.

In “Letters to John Taylor,” in 1814, he says, —

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\* “Constitutions” it probably should be. M. Turgot’s letter to Dr. Price was written in 1778, before Mr. Adams’s draught was made; but his criticisms were upon the principles of government therein approved.

“My volumes had nothing in view but the state governments; and, in strict truth, nothing in view but the state constitution of Massachusetts, — a child, of which I was, right or wrong, the putative father.” — *Ibid.*, vi. 463. “My three volumes were written in defence of the Constitution of Massachusetts, against a rude and insolent attack of M. Turgot. This constitution, which existed in my handwriting,” &c. — *Ibid.*, 465.

Copies of this printed “Report” are quite rare. Indeed, when the committee, appointed by the Legislature of 1832 to superintend the printing of the “Journal of the Convention,” undertook the labor, they did not succeed in finding a copy until the principal part of their work had gone to press. It was then printed in the Appendix. But, by a singular inadvertence, a table of “Errata,” at the end of this original printed report, and which, of course, forms a part of the Report of the Committee, was entirely disregarded in this reprint; and, in reprinting this document among the works of Mr. Adams, his editor has committed the same oversight, evidently copying from the reprint of 1832: therefore, the alterations in the report, suggested by the “Errata,” are erroneously put down by the latter among the amendments made by the Convention.

This copy, now, through the kindness of Mr. Stevens, the property of this Society, once belonged to the Hon. John Tyng, Esq., a member of the Convention for Dunstable. The manuscript notes in the margin are probably by him. A part of them consist of corrections of the text called for by the table of “Errata.” Some of the others imply notions that were probably confined to the writer of them: at least, there is no evidence, from the meagre record of the Convention, that that body ever entertained them. For instance, in one place, where the “Commonwealth of Massachusetts” is mentioned, there is written, in the margin, “Sovereign State.” In the section defining the department of legislation to be formed by *two* branches, — a *Senate*, and *House*

*of Representatives*, — the annotator writes, “three, — Chief Magistrate, House of Peers, and House of Commons.” Frequently, where “the General Court” is mentioned, the word “Parliament” is written. For “councillors and senators,” the suggestion in the margin is for “peers.” Against the ninth clause in the Declaration of Rights, where it is said that “all elections ought to be free, and all the male inhabitants of this Commonwealth, having sufficient qualifications,” &c., is written, “and have not adhered to the enemy in the present war, Indians, negroes, and mulattoes excepted.”

In concluding these remarks, it may not be considered out of place to state, that the first clause in the Massachusetts Bill of Rights — “All men are born free and equal” — is a slight alteration from the phrase as it was originally written, and as it stands in the text of the printed Report of the Committee. It there reads, “All men are born equally free and independent.” In the table of “Errata,” to which reference has already been made, at the end of the Report, are the words as they now stand.

This clause, as first written, and indeed, substantially, the whole of the first article of the Massachusetts Bill of Rights, was taken from the Virginia Bill of Rights, drawn up by George Mason, and adopted by the Convention at Williamsburgh on the 12th of June, 1776. In Mason’s first draught, it reads, “All men are created equally free and independent.” Subsequently, for “created,” the words “by nature” were substituted.

In the Declaration of Independence of the United States, written by Mr. Jefferson, and reported by him to the House on the 28th of June, 1776, is the similar phrase, so often, of late years, the subject of comment, “All men are created equal.”

NOTE. — A number of the articles in the Massachusetts Bill of Rights are taken, with alterations, from the Virginia Bill of Rights.



The President presented to the Society, amongst other books and pamphlets which he had brought with him from Europe, two books, in the German language, obtained in Berlin, relating to American history ; which, at his suggestion, were referred for examination to Mr. Sparks.

Hon. John J. Babson was elected a Resident Member, and Count Adolphe de Circourt, of Paris, an Honorary Member, of the Society.

The President communicated the following paper, which he had caused to be copied from the "Colonial Series," vol. v., 1630, in the State-paper Office in London : —

*A Note of the Names of the Principall Undertakers for the Plantation of the Mattachusetts Bay, in New England, that are themselves gonne over with their Wives and Children.*

Mr. Joh. Winthroppe, Esqr., Governor, and three of his sonnes.

S<sup>r</sup> Rich. Salstonstall, Knight, three of his sonnes, and 2 daughters.

Mr. Isaake Johnson, Esq., and the Lady Arbella his wife, sister to the Earle of Lincolne.

Mr. Charles Fines, the said earle's brother.

Mr. Dudley, his wife, 2 sonnes, and 4 daughters.

Mr. Coddington and his wife.

Mr. Pincheon and his wife and 2 daughters.

Mr. Vassall and his wife.

Mr. Revell.

(Indorsed)

For the Right Honorable the Lord Carleton.

This communication was referred to Mr. Savage, who subsequently furnished the following remarks upon it : —

*Mr. Savage's Report.*

On the foregoing paper, or note, it is easy enough to supply explanation of most of the points that naturally are suggested by the names of only nine of the principal undertakers. It seems probable that all these gentlemen, except Fines, were assistants; and Fines is named because he was brother of the Lady Arbella. Also that all these assistants, except Revell and Pynchon, had passage in the admiral-ship the "Arbella;" for Revell came in the "Jewell," of which he was part owner, though he was part owner of the flag-ship as well. Pynchon was probably in the "Ambrose," the rear-admiral ship. It is, however, of more interest to see the other points of connection with our country as in each person ascertained. I think no other assistants came that season, except Rossiter and Ludlow; and they came, a few days earlier, to Dorchester.

With Governor Winthrop, the three sons were Henry, Stephen, and Samuel: but Henry lost his passage in the "Arbella" by going ashore at Cowes with young Mr. Pelham, and they got on board of the "Ambrose" or the "Talbot;" and Henry was lost by drowning, at Salem, the day of landing, as may be inferred, 1st or 2d July.

Saltonstall was accompanied by his sons, Richard, Henry, and probably Samuel; beside daughters Grace and Rosamond. Neither Sir Richard nor Governor Winthrop brought a wife, — the former having none; and the wife of Governor Winthrop was left in England, to be attended to, and brought over next year, by his eldest son.

Johnson brought his wife, who died, in a few days after reaching shore, at Salem; and in a few weeks he followed her, and to the same resting-place, in my opinion.

Fines had slight ties to this shore after the death of his sister and her husband; and as nothing is ever told of him after, on this side, at least, of the Atlantic, I doubt not that

he went home in the autumn of the first year. He must ever be remembered as one of the signers, on board the "Arbella," 7th April, 1630, of the letter to our brethren of the Church of England, written from Yarmouth.

Of the *four* daughters of Thomas Dudley, in 1630, the names are more confidently known than those of the *two* sons. Samuel was probably the *oldest*; and we never positively heard that he was not the *only* son, before the Governor Joseph, born by the second wife (taken long after his father settled at Roxbury). A dim conjecture, that a son Thomas was bred at Emanuel College, Cambridge, there gaining his degrees in 1626 and 1630,—as uttered in a note to Winthrop's History, i. 51,—is followed by denial that he came to our country. The daughters were Ann, Patience, Sarah, and Mercy.

Mr. Coddington's wife died in the first season; and in April, 1631, he went home to obtain another wife, with whom he came again in 1633.

Pincheon, or Pynchon, brought three daughters, instead of two, and son John besides, if the record of Roxbury Church, where his name stands first of the members, may not be distrusted. As the son was five years old, we may well accept the record of the daughters, Ann, Mary, and Margaret, as coming with the father, no less than the mother, who died soon after landing, and before return of the ship in which she came.

A reasonable doubt may be raised, whether, besides the *probable* error about the son of Dudley, and the *certain* deficiency of half the children of Pynchon, there be not redundance in the wife of Vassall. If she came with her husband, 1630, four children, perhaps, ought to be added; but if they were left in England, as no doubt they were, the youngest, then only one year old, might naturally have claimed the mother's care. As the father hurried back from here by the earliest ship, going by the "Lion" to

Bristol, I should presume that he would not again drag the wife over the ocean ; but, when he brought her in 1635, she had two more and younger children : so that the probability is strong, that the official note is wrong.

Revell was an assistant, who never acted here, as he returned home before any of Winthrop's fleet sailed ; as each of them, probably, took some lading for a remoter port than the "Lion," that was sent to the nearest city in England to bring back provisions for the starving Colony in the winter. He was rich, and engaged years before in aid of the Plymouth Colony ; was chosen an assistant, under our charter, in October, 1629, — the day that Cradock resigned as Governor, and Winthrop was chosen his successor, — for the purpose of transferring the administration from Old England to New, as by Cradock had been advised.

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#### DECEMBER MEETING.

A stated monthly meeting of the Society was held this day, Thursday, Dec. 13, at noon ; the President, Hon. Robert C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Society of Antiquaries, London ; the Royal Academy of Sciences, of Lisbon ; New-Jersey Historical Society ; Yale College ; the Town of Gloucester, Mass. ; C. G. Barney, Esq. ; B. P. Johnson, Esq. ; Miss M. F. Thomas ; W. H. Dennet, Esq. ; J. W. Gillespie, Esq. ; D. C. Gilman, Esq. ; J. L. Locke, Esq. ; Rev. Reeder Smith ; Dr. C. Wurzbach ; W. S. Rogers, Esq. ; and from Messrs. Bowditch, Green, Lamson, Robbins (C.), and Savage, of the Society.